

**United States Court of Appeals
For the First Circuit**

USDC MA
Judge Gorton

No. 06-2254

GISSELLE RUIZ,

Plaintiff, Appellant,

v.

BALLY TOTAL FITNESS HOLDING CORP. ET AL.,

Defendants, Appellees

JUDGMENT

Entered: July 30, 2007

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's dismissal of the action is affirmed.

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk


Deputy Clerk

Date: 8/21/07

By the Court:

Richard Cushing Donovan, Clerk

MARGARET CARTER

By: Margaret Carter, Chief Deputy Clerk

[cc: Mr. Roddy, Ms. Ryan, Ms. Kavanagh, Mr. Cooper, Mr. Finkel, Mr. Klein, & Ms. Davison.]